

Contra Costa County OK's indoor commercial cannabis cultivation business

Mar 25, 2021

[Kyle Szymanski](#)

[Brentwood Press](#)

The [Contra Costa Board of Supervisors](#) has cleared the way for an indoor commercial cannabis cultivation business to operate on Sellers Avenue, despite vocal opposition from city officials and residents.

The unanimous decision to grant Diablo Valley Farms a land-use permit appears to be the final ruling in a lengthy back and forth between the business owner, the county, Brentwood leaders and residents over whether the proposed business would be too dangerous, smelly and close to Brentwood's Sunset Park Athletic Complex, 175 feet away.

In the end, the facility's approval was enabled with a couple of amended conditions of approval to address safety concerns, and the supervisors unanimously agreeing that the athletic complex doesn't fit the county's definition of a youth center, which would have required a 1,000-foot buffer between the park and the operation.

"I want people to know I would never let something come in that I didn't think was good," said District 3 Supervisor Diane Burgis.

The decision was in stark contrast to the feelings of Brentwood City Councilmembers Susannah Meyer and Karen Rarey — both longtime opponents of the facility — Brentwood Assistant City Manager Terrence Grindall, Police Chief Tom Hansen and a few public speakers, who argued that it's too close to the youth-gathering sports complex and poses serious safety concerns.

"I have serious doubts about the future safety of the families that spend time there (at the athletic complex) with a potential grow site 170 feet away," Meyer said.

The business, an extension of a 27-year operation on the site, will be a microplant nursery, using two existing 10,000-square-foot greenhouses.

The non-cash facility will be allowed to grow only seedlings before shipping them out for off-site planting.

Business owner Bob Nunn said the seedlings will not generate a smell, as the odor comes from the development of THC post-flowering, from the resin on the cannabis bud; the seedlings by their very nature won't be an attractive crime target. The supervisors agreed.

Despite the supposed safe and odor-free plans, the facility agreed to enhance its security plan and include in its conditions of approval that no mature plants will be located on-site.

The additional security measures include that no cash will be held or transferred on-site; regular training in security protocols will be implemented; and access to the facility will be adequately limited.

“These little plants are not going to have any recreational drug value, they are not going to have any flowers, and they have made it clear there will be no (mature) plants on the site,” Burgis said.

In clearing way for the business, the supervisors also ruled that Brentwood’s Sunset Park Athletic Complex is not a youth center, which requires a 1,000-foot buffer. This was a point of contention that previously prompted the county’s planning commission to halt the business’s path forward because of location concerns.

The county defines a youth center as “any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.”

Instead, the supervisors hinted the complex should be considered a playground, according to the county’s definition: “any park or recreational area specifically designed to be used by children that has play equipment installed, including public grounds designed for athletic activities such as baseball, football, soccer, or basketball, or any similar facility located on public or private school grounds, or on city, county, or state parks.”

Rarey, a Brentwood City Councilmember, viewed the county’s interpretation differently. She rattled off five separate private youth membership clubs that make up 90% of the youth activity at the sports complex, noting that about 94,000 youth use the facility each year.

“If you look at the county definition of a youth center, it says ‘any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs,’” Rarey said.

But District 1 Supervisor John Gioia noted that the supervisors previously mulled over the definitions and whether there should be buffers required for both parks and youth centers when framing countywide cannabis regulations.

“We were the ones who actually approved this regulatory framework that excluded youth centers but not parks,” he said. “It’s not like we are interpreting something that someone else wrote. We are interpreting what we passed. It was my understanding and intention when all

this was approved that a sports field, even when part of the time it is reserved for use, is not a youth center.”

Going forward, Diablo Valley Farms’ land-use permit is valid for five years.

Project applicant Lisa Borba said the facility will continue to be a good neighbor to the community, just like it has been for 26 years.

“Taking away the cash and mature flowers just doesn’t give any reason for criminals to come there,” she said.

Burgis added that the county intends to ensure the business lives up to its promises.

“If we find this doesn’t work for us, it will be gone,” she said.

https://www.thepress.net/news/brentwood/contra-costa-county-ok-s-indoor-commercial-cannabis-cultivation-business/article_ebb44ee0-8d8d-11eb-ad32-dbe624df053a.html